

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v - :

ORDER

NATHANAEL R. ORTIZ, : 08 Cr. 00548 (DC)

Defendant. :

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CHIN, Circuit Judge:


On March 12, 2009, defendant Nathanael R. Ortiz pleaded guilty to one count of conspiracy to distribute and possess with intent to distribute cocaine base, in violation of 21 U.S.C. § 846. *United States v. Ortiz*, No. 08-cr-548 ("*Ortiz I*"), Dkt. Entry of Mar. 12, 2009. I sentenced him on July 15, 2009 to 168 months' imprisonment and five years' supervised release. *Id.* at Dkt. 171. On February 3, 2011, Ortiz pleaded guilty in a subsequent case before Judge Stein to violating 18 U.S.C. § 924(c)(a)(1)(i). *See United States v. Ortiz*, No. 10-cr-73 ("*Ortiz II*"), Dkt. 96. Judge Stein sentenced Ortiz to 60 months' imprisonment to run consecutively to the 168-month sentence I imposed in the instant case. *Id.* at Dkt. 140.

On January 23, 2024, Ortiz, proceeding *pro se*, filed a motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 821 of the Sentencing Guidelines in the case before me. *Ortiz I*, Dkt. 394. It appears that Ortiz has been in

custody since June of 2008, *see id.* at Dkt. Entry of June 18, 2008, and accordingly he is no longer serving the sentence I imposed. Rather, it appears that he is serving the sentence imposed by Judge Stein. It is therefore ORDERED that the Clerk of the Court shall file Ortiz's motion for a sentence reduction (*id.* at Dkt. 394) on Judge Stein's docket, *Ortiz II*, No. 10-cr-73, and provide a copy of this order to Judge Stein.

SO ORDERED.

Dated: New York, New York
April 5, 2024

A handwritten signature in black ink, appearing to be 'Denny Chin', written over a horizontal line.

DENNY CHIN
United States Circuit Judge
Sitting by Designation